

BILL NO. Z-73-05-*06*

ZONING MAP ORDINANCE NO. Z- 11-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3A district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

- (A) The West 50 feet running full length of the following described lots:

Beginning at the southeast corner of Lot 5 of Dyke's Out Lots in the West 1/2 of the northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence northwestward along the south line of said Lot 5 and Lot 7 in Dyke's Out Lots 308 feet; thence northward and parallel to the east line of said Lot 7 to the south line of Spy Run Creek; thence east and along the south line of said Creek 155 feet; thence southeastward in a straight line to a point in the east line of said Lot 5, 137.4 feet north of the place of beginning; thence south along the east line of said Out Lot 5, 137.4 feet to the place of beginning, excepting that part granted to the Lincoln Highway, Allen County, Indiana.

Also

- (B) Beginning at the Southeast corner of Lot 5 of Dyke's Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence northwestward along the south line of said Lot 5 and Lot 7 in said Dyke's Out Lots 308 feet; thence northward and parallel to the east line of said Lot 7 to the south line of Spy Run Creek; thence East and along the south line of said Creek 155 feet; thence southeastward in a straight line to a point in the east line of said Lot 5, 137.4 feet north of the place of beginning; thence south along the east line of said Out Lot 5, 137.4 feet to the place of beginning, except the west 50 feet of the above described property which has heretofore been sold and also except that portion of the above described property fronting the Lincoln Highway west of the City of Fort Wayne, which said portion has been appropriated by the State

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3 Highway Commission for the widening of the said
4 Lincoln Highway along and in front of said above
5 described property. All of said above described
6 property being located in Allen County, Indiana.

7 Beginning at the Southeast corner of Lot 7 Dykes
8 Out Lots; thence North along the East line of said
9 Lot 7, 190 feet; thence North 92 feet to a point
10 on the North line of Section 34, Township 31 North,
11 Range 12 East; thence West along the North line of
12 Section 34, 330 feet; thence South to the North line
13 of the Goshen Road; thence Southeast along said North
14 line of the Goshen Road to the place of beginning,
15 containing 1 1/2 acres more or less.

16 And also commencing on the South line of Section 27,
17 Township 31 North, Range 12 East, 92 feet North and
18 330 feet West of the Northwest Corner of Lot 5 Dykes
19 Out Lots in Section 34, Township 31 North, Range 12
20 East; thence North to the center of Creek, 59 feet;
21 thence Easterly along the center line of said Creek
22 to a point where it crosses the South line of said
23 Section 27; thence West to the place of beginning,
24 excepting from all of said land the following:

25 Beginning at the Southeast corner of Lot 5 Dykes Out
26 Lots in the West 1/2 of the Northeast 1/4 of Section 34,
27 Township 31 North, Range 12 East; thence Northwest-
28 ward along the South line of said Lot 5 and Lot 7 in
29 said Dykes Out Lots, 308 feet; thence Northward and
30 parallel to the East line of said Lot 7 to the South
31 line of Spy Run Creek; thence East and along the
32 South line of said Creek, 155 feet; thence Southeast-
33 ward in a straight line to a point in the East line
34 of said Lot 5, 137.4 feet North of the place of be-
35 ginning; thence South along the East line of said Out
Lot 5, 137.4 feet to the place of beginning.

SECTION 2. This Ordinance shall be in full force and
effect from and after its passage and approval by the Mayor and
legal publication thereof.

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Councilman

APPROVED AS TO FORM
AND CONTENTS


CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 5/8/73

Charles W. Titelman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

DATE: 5-11-73

Charles W. Titelman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (Special) (~~Appropriation~~) Ordinance (Resolution) No. 3-11-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Titelman
CITY CLERK

James H. Brown
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 1:00 o'clock A. M., E.S.T.

Charles W. Titelman
CITY CLERK

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P. M., E.S.T.

James H. Brown
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 8, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-05-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

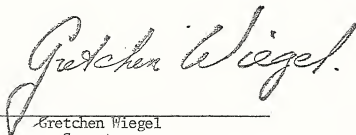
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this
28th day of August, 1973



Gretchen Wiegel
Secretary

Bill No. 7-73-05-06

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on REGULATIONS to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. BB9

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
DJ Schmidt

DATE 9-11-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Nº 191

GENERAL FUND

FT. WAYNE, IND., 4-10 1973

RECEIVED FROM Charlie Bell \$ 50⁰⁰

THE SUM OF Fifty 00/₁₀₀ DOLLARS

ON ACCOUNT OF Regone - Pt. Goshen Rd across Gateway Plaza
From B4 & RA to B3A

N. Hartman
AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____
Intended Use _____

I/We Charles Bell, David Galbraith & Carol Galbraith
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an B-4 & RA District to a/an B3A District the property described as follows:

See attached description

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>Charles Bell</u>	<u>7832 Chelwater Rd.</u>	<u>Charles Bell</u>
<u>David Galbraith</u>	<u>Hursh Rd. Grabill, Ind.</u>	<u>David Galbraith</u>
<u>Carol Galbraith</u>	<u>Hursh Rd. Grabill, Ind.</u>	<u>Carol Galbraith</u>
(Name)	(Address)	(Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

<u>David Peters</u>	<u>17th Floor-Lincoln Tower</u>	<u>743-3305</u>
(Name)	(Address)	(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

- (A) The West 50 feet running full length of the following described lots:

Beginning at the southeast corner of Lot 5 of Dyke's Out Lots in the West 1/2 of the northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence northwestward along the south line of said Lot 5 and Lot 7 in Dyke's Out Lots 308 feet; thence northward and parallel to the east line of said Lot 7 to the south line of Spy Run Creek; thence east and along the south line of said Creek 155 feet; thence southeastward in a straight line to a point in the east line of said Lot 5, 137.4 feet north of the place of beginning; thence south along the east line of said Out Lot 5, 137.4 feet to the place of beginning, excepting that part granted to the Lincoln Highway, Allen County, Indiana.

Also

- (B) Beginning at the Southeast corner of Lot 5 of Dyke's Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence northwestward along the south line of said Lot 5 and Lot 7 in said Dyke's Out Lots 308 feet; thence northward and parallel to the east line of said Lot 7 to

the south line of Spy Run Creek; thence East and along the south line of said Creek 155 feet; thence southeastward in a straight line to a point in the east line of said Lot 5, 137.4 feet north of the place of beginning; thence south along the east line of said Out Lot 5, 137.4 feet to the place of beginning, except the west 50 feet of the above described property which has heretofore been sold and also except that portion of the above described property fronting the Lincoln Highway west of the City of Fort Wayne, which said portion has been appropriated by the State Highway Commission for the widening of the said Lincoln Highway along and in front of said above described property. All of said above described property being located in Allen County, Indiana.

Beginning at the Southeast corner of Lot 7 Dykes Out Lots; thence North along the East line of said Lot 7, 190 feet; thence North 92 feet to a point on the North line of Section 34, Township 31 North, Range 12 East; thence West along the North line of Section 34, 330 feet; thence South to the North line of the Goshen Road; thence Southeast along said North line of the Goshen Road to the place of beginning, containing 1 1/2 acres more or less.

And also commencing on the South line of Section 27, Township 31 North, Range 12 East, 92 feet North and 330 feet West of the Northwest Corner of Lot 5 Dykes Out Lots in Section 34, Township 31 North, Range 12 East; thence North to the center of Creek, 59 feet; thence Easterly along the center line of said Creek to a point where it crosses the South line of said Section 27; thence West to the place of beginning, excepting from all of said land the following:

Beginning at the Southeast corner of Lot 5 Dykes Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence Northwestward along the South line of said Lot 5 and Lot 7 in said Dykes Out Lots, 308 feet; thence Northward and parallel to the East line of said Lot 7 to the South line of Spy Run Creek; thence East and along the South line of said Creek, 155 feet; thence Southeastward in a straight line to a point in the East line of said Lot 5, 137.4 feet North of the place of beginning; thence South along the East line of said Out Lot 5, 137.4 feet to the place of beginning.

DIGEST SHEET*Regulations**3-73-05-06*TITLE OF ORDINANCE Zoning Map OrdinanceDEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE _____

Preparation of a Zoning Map Amendment Ordinance petition initiated by
property owners to rezone property located as follows:

SEE ATTACHED SHEET

From "B4" & "RA" to "B3A"

EFFECT OF PASSAGE From a Roadside Business zone and a residential zone
to a general Business zone - commercial use - no intended use given by
petitioner

EFFECT OF NON-PASSAGE zoning would remain as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.)

Regulation C C

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	2-73-05-06
ORDINANCE NO.	3-11-73
REGULAR SESSION	5-8-73
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	Kullov.
BILL WRITTEN BY	City Plan.
DATE INTRODUCED	5-8-73
REFERRED TO SAID STANDING COMMITTEE	Kullov. Regulators
REFERRED TO CITY PLAN	5-8-73
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
PASS	5-11-73
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	City Clerk to new papers COMMUNICATIONS FROM
X	ZONING MAPS
	Business to Regulate Descriptive Maps
	ABSTRACTS
	Ordination of zoning led
	TITLES Unvalued Ordination
	PRIOR APPROVAL LETTER

Design sheet.

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS:



CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

September 18, 1973

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of September 19 and September 26, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana:

Zoning Map No. Z-12-73
Amending the City of Fort Wayne
Zoning Map No. E1, E2, F1, F2.

Zoning Map No. Z-11-73
Amending the City of Fort Wayne
Zoning Map No. BB9.

Zoning Map No. Z-13-73
Amending the City of Fort Wayne
Zoning Map No. C3, D3.

Zoning Map No. Z-14-73
Amending the City of Fort Wayne
Zoning Map No. F7, F9

Please send us four (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 4

Legal Notice

Notice is hereby given that on the 11th day of September, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-73-05-06, Zoning Map Ordinance, to-wit:

BILL NO. 2-73-05-06

ZONING MAP ORDINANCE NO. 2-11-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 889, to-wit: BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated as BSA district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto, and the symbols of the City of Fort Wayne Zoning Map No. 889, referred to therein, established by Section 9, Article 16 of said Chapter as amended, are hereby changed accordingly, to-wit:

(A) The West 50 feet running full length of the following described property: Beginning at the southeast corner of Lot 5 of Dykes Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence northward along the south line of said Lot 5 and Lot 7 in Dykes Out Lots 308 feet; thence northward and parallel to the east line of said Lot 7 to the south line of Spy Run Creek; thence east and along the south line of said Creek 155 feet; thence southward in a straight line to a point in the east line of said Lot 5, 137.4 feet north of the place of beginning; thence south along the east line of said Lot 5, 137.4 feet to the place of beginning, excepting that part granted to the Lincoln Highway, Allen County, Indiana.

Also
(B) Beginning at the Southeast corner of Lot 5 of Dykes Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence northward along the south line of said Lot 5 and Lot 7 in said Dykes Out Lots 308 feet; thence northward and parallel to the east line of said Lot 7 to the south line of Spy Run Creek; thence East and along the south line of said Creek 155 feet; thence southward in a straight line to a point in the east line of said Lot 5, 137.4 feet north of the place of beginning; thence south along the east line of said Lot 5, 137.4 feet to the place of beginning, except the west 50 feet of the above described property which has heretofore been sold and also except that portion of the above described property fronting the Lincoln Highway west of the City of Fort Wayne, which said portion has been incorporated by the State Highway Commission for the widening of the said Lincoln Highway along and in front of said above described property. All of said above described property being located in Allen County, Indiana.

Beginning at the Southeast corner of Lot 7 Dykes Out Lots; thence North along the East line of said Lot 7, 190 feet; thence North 92 feet to a point on the North line of Section 34, Township 31 North, Range 12 East; thence West along the North line of Section 34, 330 feet; thence South to the North line of the Goshen Road; thence Southeast along said North line of the Goshen Road to the place of beginning, containing 1 1/2 acres more or less.

And also commencing on the South line of Section 27, Township 31 North, Range 12 East, 92 feet North and 330 feet West of the Northwest Corner of Lot 5 Dykes Out Lots in Section 34, Township 31 North, Range 12 East; thence North to the center of Creek, 59 feet; thence Easterly along the center line of said Creek to a point where it crosses the South line of said Section 27; thence West to the place of beginning, excepting from all of said land the following:

Beginning at the Southeast corner of Lot 5 Dykes Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence Northward along the South line of said Lot 5 and Lot 7 in said Dykes Out Lots, 308 feet; thence Northward and parallel to the East line of said Lot 7 to the South line of Spy Run Creek; thence East and along the South line of said Creek, 155 feet; thence Southward in a straight line to a point in the East line of said Lot 5, 137.4 feet North of the place of beginning; thence South along the East line of said Lot 5, 137.4 feet to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

JOHN NUCKOLS,

Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine—Burns, Higgs, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Siler, Talarico

Nays: None

Date: 9-11-73

Charles W. Westerman

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-11-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman

Winfield C.

Moses Jr.

City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman

City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 8:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-11-73 passed by the Common Council on the 11th day of September, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of September, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of September, 1973.

CHARLES W. WESTERMAN

CITY CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
County of Allen } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is _____ CLERK: _____ of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of _____ in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S., the dates of publication being as follows:

September 20, 1973

September 26, 1973

Subscribed and sworn to before me this 27th day of September, 1973

Notary Public

My commission expires October 25, 1975

A. M. Hostman

Date September 27, 1973

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana
County of Allen ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

September 20, 1973

September 26, 1973

Subscribed and sworn to before me this 27th day of September 19 73

A. M. Hostman
Notary Public

My commission expires October 25, 1975

Notice is hereby given that on the 11th day of September, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-73-05-06, 2-11-73 Zoning Map Ordinance, to-wit:

BILL NO. 2-73-05-06

ZONING MAP

ORDINANCE NO. 2-11-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 869, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3A district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2633 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. 869, referred to therein, established by Section 9, Article III of said Charter as amended, are hereby changed accordingly, to-wit:

(A) The West 50 feet running full length of the following described lots:
Beginning at the southeast corner of Lot 5 of Dykes Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence northward along the south line of said Lot 5 and Lot 7 in Dykes Out Lots 168 feet; thence northward and parallel to the east line of said Lot 7 to the south line of Soy Run Creek; thence east and along the south line of said Creek 155 feet; thence southward in a straight line to a point in the east line of said Lot 5, 137.4 feet north of the place of beginning; thence south along the east line of said Lot 5, 137.4 feet to the place of beginning, excepting that portion granted to the Lincoln Highway, Allen County, Indiana.

Also:
(B) Beginning at the Southeast corner of Lot 5 of Dykes Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence northward along the south line of said Lot 5 and Lot 7 in said Dykes Out Lots 388 feet; thence northward and parallel to the east line of said Lot 7 to the south line of Soy Run Creek; thence East and along the south line of said Creek 155 feet; thence southward in a straight line to a point in the east line of said Lot 5, 137.4 feet north of the place of beginning; thence south along the east line of said Lot 5, 137.4 feet to the place of beginning, except the west 50 feet of the above described property which has heretofore been sold and also except that portion of the above described property fronting the Lincoln Highway west of the City of Fort Wayne, which said portion has been appropriated by the State Highway Commission for the widening of the said Lincoln Highway along and in front of said above described property. All of said above described property being located in Allen County, Indiana.

Beginning at the Southeast corner of Lot 7 Dykes Out Lots; thence North along the East line of said Lot 7, 190 feet; thence North 92 feet to a point on the North line of Section 34, Township 31 North, Range 12 East; thence West along the North line of Section 34, 330 feet; thence South to the North line of the Goshen Road; thence Southeast along said North line of the Goshen Road to the place of beginning, containing 1/2 acres more or less.

And also commencing on the South line of Section 27, Township 31 North, Range 12 East 92 feet North and 330 feet West of the Northwest Corner of Lot 5 Dykes Out Lots in Section 34, Township 31 North, Range 12 East; thence North to the center of Creek, 59 feet; thence Easterly along the center line of said Creek to a point where it crosses the South line of said Section 27; thence West to the place of beginning, excepting from all of said land the following:

Beginning at the Southeast corner of Lot 5 Dykes Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence Northward along the South line of said Lot 5 and Lot 7 in said Dykes Out Lots, 388 feet; thence Northward and parallel to the East line of said Lot 7 to the South line of Soy Run Creek; thence East and along the South line of said Creek, 155 feet; thence Southward in a straight line to a point in the East line of said Lot 5, 137.4 feet North of the place of beginning; thence South along the East line of said Lot 5, 137.4 feet to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

JOHN NUCKOLS,

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage.

Passed by the following vote:
Ayes: Nine—Burns, Hingoo, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Sifer, Talarico
Nays: None

Date: 9-11-73

Charles W. Westerman

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-11-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman

Winfield C. Moses Jr.

City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-11-73 passed by the Common Council on the 11th day of September, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of September, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of September, 1973.

CHARLES W. WESTERMAN

CITY CLERK

Common Council-City of Ft. Wayne
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—

165

2

167

COMPUTATION OF CHARGES

167 lines.....columns wide equals.....equivalent lines at.....288¢
cents per line \$ 48.10

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2) 1.00

TOTAL AMOUNT OF CLAIM

\$ 49.10

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 27, 19 73

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that she is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

September 20, 1973

September 26, 1973

Subscribed and sworn to before me this 27th day of September 19 73

My commission expires October 25, 1975

the Northeast is of Section 34, Township 31 North, Range 12 East; thence Northwestward along the South line of said Lot 5 and Lot 7 in said Dykes Out Lots, 208 feet; thence Northward and parallel to the East line of said Lot 7 to the South line of Spy Run Creek; thence East and along the South line of said Creek, 155 feet; thence Southward in a straight line to a point in the East line of said Lot 5, 127.4 feet North of the place of beginning; thence South along the East line of said Out Lot 5, 137.4 feet to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

JOHN NUCKOLS,

Counselman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine—Burns, Hinger, Krous, Moses, Nuckols, D. Schmidt, V. Schmidt, Star, Talarico

Present: Nine

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